

J1132 U.S. PTO  
01/31/02

PTO/SB/16 (10-01)

Approved for use through 10/31/2002. OMB#0511-0032  
U.S. Patent and Trademark Office, U.S. DEPARTMENT OF COMMERCE

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A plant

|   |  |                               |
|---|--|-------------------------------|
| <b>PLANT<br/>PATENT APPLICATION<br/>TRANSMITTAL</b> |  | <b>Attorney Docket No.</b>    |
|   |  | <b>First Named Inventor</b>   |
|   |  | <b>Title</b>                  |
|   |  | <b>Express Mail Label No.</b> |

(Only for new nonprovisional applications filed under 37 CFR 1.53(b))

|  |  |
|--|--|
| <b>ADDRESS TO:</b><br>Assistant Commissioner for Patents<br>Box Patent Application<br>Washington, DC 20231 |  |
|--|--|

|  |  |   |
|--|--|---|
| <b>APPLICATION ELEMENTS</b><br>See MPEP chapters 600 & 1600 concerning plant patent application contents.  |  | <b>ACCOMPANYING APPLICATION PARTS</b>   |
| <p>1. <input checked="" type="checkbox"/> Fee Transmittal Form (e.g., PTO/SB/17)<br/>(Submit an original, and a duplicate for fee processing)</p> <p>2. <input checked="" type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27.</p> <p>3. <input checked="" type="checkbox"/> Specification [Total Pages 3]</p> <p>(preferred arrangement set forth below)</p> <ul style="list-style-type: none"> <li>- Descriptive title of the Invention</li> <li>- Cross References to Related Applications</li> <li>- Statement Regarding Fed sponsored R &amp; D</li> <li>- Latin name of genus and species</li> <li>- Variety denomination</li> <li>- Background of the Invention</li> <li>- Brief Summary of the Invention</li> <li>- Brief Description of the Drawings</li> <li>- Detailed Botanical Description</li> <li>- A single claim</li> <li>- Abstract of the Disclosure</li> </ul> <p>4. <input checked="" type="checkbox"/> Color drawing(s) [Total Sheets 2]<br/>(2 copies required - 37 CFR 1.76(b))</p> <p>5. Oath or Declaration [Total Pages 1]</p> <p>a. <input checked="" type="checkbox"/> Newly executed (original or copy)</p> <p>b. <input type="checkbox"/> Copy from a prior application (37 CFR 1.63(d))<br/>(for continuation/divisional with Box 16 completed)</p> <p><b>L</b> <input checked="" type="checkbox"/> <b>DELETION OF INVENTOR(S)</b><br/>Signed statement attached deleting<br/>Inventor(s) named in the prior application,<br/>see 37 CFR 1.63(d)(2) and 1.33(b).</p> <p>e. <input type="checkbox"/> Application Data Sheet. See 37 CFR 1.76.</p> |  | <p>7. <input type="checkbox"/> Assignment Papers (cover sheet &amp; document(s))</p> <p>8. <input type="checkbox"/> 37 CFR 3.73(b) Statement <input type="checkbox"/> Power of Attorney<br/>(when there is an assignee)</p> <p>9. <input type="checkbox"/> English Translation Document (if applicable)</p> <p>10. <input type="checkbox"/> Information Disclosure Statement (IDS)/PTO-1449 <input type="checkbox"/> Copies of IDS Citations</p> <p>11. <input type="checkbox"/> Preliminary Amendment</p> <p>12. <input checked="" type="checkbox"/> Return Receipt Postcard (MPEP 503)<br/>(Should be specifically itemized)</p> <p>13. <input type="checkbox"/> Certified Copy of Priority Document(s)<br/>(If foreign priority is claimed)</p> <p>14. <input type="checkbox"/> Request Nonpublication under 35 U.S.C. 122<br/>(b)(2)(B)(i). Applicant must attach form PTO/SB/35 or its equivalent</p> <p>15. <input type="checkbox"/> Other: .....</p> |

Note: Please state the Latin name and variety  
denomination of the plant claimed in a separate section  
of the specification.

16. If a **CONTINUING APPLICATION**, check appropriate box, and supply the requisite information below and in a preliminary amendment, or in an Application Data Sheet under 37 CFR 1.76.

Continuation  Divisional  Continuation-in-part (CIP) of prior application No.: \_\_\_\_\_  
Prior application information: Examiner \_\_\_\_\_ At Unit \_\_\_\_\_

For **CONTINUATION** or **DIVISIONAL APPS** only: The entire disclosure of the prior application, from which an oath or declaration is supplied under Box 5b, is considered a part of the disclosure of the accompanying continuation or divisional application and is hereby incorporated by reference. The incorporation can only be relied upon when a portion has been inadvertently omitted from the submitted application parts.

**17. CORRESPONDENCE ADDRESS**

|  |                       |           |   |
|--|-----------------------|-----------|---|
| <input type="checkbox"/> Customer Number or Bar Code Label | [Redacted]            |           | <input type="checkbox"/> Correspondence address below |
| Name   | S CHRISTOPHER EARLY   |           |   |
| Address  | 4341 HARRIS VALLEY RD |           |   |
| City   | ATLANTA               | State     | GA Zip Code 30327                                     |
| COUNTRY  | USA                   | Telephone | 404 261 4069 Fax 404 261 2477                         |

|                   |                             |                                   |              |
|-------------------|-----------------------------|-----------------------------------|--------------|
| Name (Print/Type) | S CHRISTOPHER EARLY         | Registration No. (Attorney/Agent) |              |
| Signature         | <i>S. Christopher Early</i> |                                   | Date 1/21/02 |

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Box Patent Application, Washington, DC 20231.

10/059400  
01/31/02

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# FEE TRANSMITTAL

## for FY 2002

Patent fees are subject to annual revision.

 Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$ 255)

## Complete if Known

|                      |                     |
|----------------------|---------------------|
| Application Number   |                     |
| Filing Date          |                     |
| First Named Inventor | S CHRISTOPHER EARLY |
| Examiner Name        |                     |
| Group Art Unit       |                     |
| Attorney Docket No.  |                     |

## METHOD OF PAYMENT (check off that apply)

 Check  Credit card  Money Order  Other  None
 Deposit Account:

|                        |  |
|------------------------|--|
| Deposit Account Number |  |
| Deposit Account Name   |  |

The Commissioner is authorized to: (check off that apply)

- Charge fee(s) indicated below  Credit any overpayments  
 Charge any additional fee(s) during the pendency of this application  
 Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account.

## FEE CALCULATION

## 1. BASIC FILING FEE

Large Entity | Small Entity

| Fee Code (\$) | Fee Code (\$) | Fee Description        | Fee Paid |
|---------------|---------------|------------------------|----------|
| 101 740       | 201 370       | Utility filing fee     |          |
| 106 350       | 206 165       | Design filing fee      |          |
| 107 510       | 207 255       | Plant filing fee       | 255      |
| 108 740       | 208 370       | Reissue filing fee     |          |
| 114 160       | 214 80        | Provisional filing fee |          |

SUBTOTAL (1) (\$ 255)

## 2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE

|                    |        |   |   |                |          |
|--------------------|--------|---|---|----------------|----------|
| Total Claims       | -20% = | X | = | Fee from below | Fee Paid |
| Independent Claims | - 3% = | X | = |                |          |
| Multiple Dependent |        |   |   |                |          |

Large Entity | Small Entity

| Fee Code (\$) | Fee Code (\$) | Fee Description   |
|---------------|---------------|---|
| 103 18        | 203 9         | Claims in excess of 20                                    |
| 102 84        | 202 42        | Independent claims in excess of 3                         |
| 104 280       | 204 140       | Multiple dependent claim, if not paid                     |
| 109 84        | 209 42        | " Reissue independent claims over original patent         |
| 110 18        | 210 9         | " Reissue claims in excess of 20 and over original patent |

SUBTOTAL (2) (\$)

\*or number previously paid, if greater. For Reissues, see above

## FEE CALCULATION (continued)

## 3. ADDITIONAL FEES

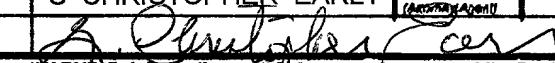
| Large Entity | Small Entity | Fee Description  | Fee Paid |
|--------------|--------------|--|----------|
| 105 130      | 205 65       | Surcharge - late filing fee or oath  |          |
| 127 50       | 227 28       | Surcharge - late provisional filing fee or cover sheet                     |          |
| 139 130      | 139 130      | Non-English specification  |          |
| 147 2,520    | 147 2,520    | For filing a request for or parts reexamination                            |          |
| 112 920*     | 112 920*     | Requesting publication of SIR prior to Examiner action                     |          |
| 113 1,840*   | 113 1,840*   | Requesting publication of SIR after Examiner action                        |          |
| 115 110      | 215 55       | Extension for reply within first month                                     |          |
| 116 400      | 216 200      | Extension for reply within second month                                    |          |
| 117 920      | 217 460      | Extension for reply within third month                                     |          |
| 118 1,440    | 218 720      | Extension for reply within fourth month                                    |          |
| 120 1,960    | 228 980      | Extension for reply within fifth month                                     |          |
| 118 320      | 218 160      | Notice of Appeal   |          |
| 120 320      | 220 160      | Filing a brief in support of an appeal                                     |          |
| 121 280      | 221 140      | Request for oral hearing   |          |
| 138 1,510    | 138 1,510    | Petition to institute a public use proceeding                              |          |
| 140 110      | 240 55       | Petition to revive - unavoidable   |          |
| 141 1,280    | 241 640      | Petition to revive - unintentional   |          |
| 142 1,280    | 242 640      | Utility issue fee (or reissue)   |          |
| 143 460      | 243 230      | Design issue fee   |          |
| 144 620      | 244 310      | Plant issue fee  |          |
| 122 130      | 122 130      | Petitions to the Commissioner  |          |
| 123 50       | 123 50       | Processing fee under 37 CFR 1.17(q)  |          |
| 126 180      | 126 180      | Submission of Information Disclosure Stmt                                  |          |
| 581 40       | 581 40       | Recording each patent assignment per property (times number of properties) |          |
| 145 740      | 245 370      | Filing a submission after final rejection (37 CFR § 1.129(e))              |          |
| 146 740      | 246 370      | For each additional invention to be examined (37 CFR § 1.129(b))           |          |
| 179 740      | 279 370      | Request for Continued Examination (RCE)                                    |          |
| 169 900      | 169 900      | Request for expedited examination of a design application                  |          |

Other fee (specify) \_\_\_\_\_

\*Reduced by Basic Filing Fee Paid

SUBTOTAL (3) (\$)

Complete if applicable

|                   |   |                                |           |              |
|-------------------|---|--------------------------------|-----------|--------------|
| Name (Print/Type) | S CHRISTOPHER EARLY   | Registration No.<br>(Assignee) | Telephone | 404 261 4069 |
| Signature         |  |                                | Date      | 1/21/02      |

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